

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION**

**UNITED STATES OF AMERICA,**

**VS.**

**CRIMINAL ACTION NO. 1:07CR176-P-D**

**PETER BERNEGGER,**

**DEFENDANT.**

**ORDER**

This matter comes before the court upon Defendant Peter Bernegger's sixth motion to continue trial [99]. After due consideration of the motion, the court finds as follows, to-wit:

This action began on November 1, 2007 and involved only Stephen Finch. The court continued trial for Defendant Finch on May 22, 2008 and August 6, 2008. On July 31, 2008 a superceding indictment added Defendant Peter Bernegger. The court granted four motions to continue filed by Defendant Bernegger on September 16, 2008, October 16, 2008, December 23, 2008, and March 5, 2009. The court continued this case a seventh time on April 28, 2009 upon motion by Defendant Finch. On July 8, 2009 Defendant Bernegger filed a *pro se* motion for continuance which this court denied on the same day.

On July 9, 2009, Defendant Bernegger, through his counsel, filed the instant motion to continue, which is Defendant Bernegger's sixth motion to continue. The grounds for the instant motion is that defense counsel needs additional time to review "an extremely large amount of discovery." The court finds that another motion to continue is not warranted.

**IT IS THEREFORE ORDERED AND ADJUDGED** that Defendant Peter Bernegger's sixth motion to continue trial [99] is **DENIED**.

**SO ORDERED** this the 10<sup>th</sup> day of July, A.D., 2009.

/s/ W. Allen Pepper, Jr.  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE